

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LESLIE PAUL HOWARTH,	:
Plaintiff	:
v.	: Civil Action No. 04-315J
ROBERT MRKICH, M.D.,	:
Defendant	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges. The Magistrate Judge has reported that on October 12, 2005, the plaintiff appeared pro se and the defendant appeared through counsel and agreed that this matter was settled on August 12, 2005, that an order dismissing the matter could be issued, and that the parties waived the ten day period to file objections to a recommendation that the matter be dismissed. It is therefore:

ORDERED that the complaint is dismissed with prejudice.
The Clerk shall mark this matter closed.

BY THE COURT:



GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

DATE: 10/12/05

cc:

Leslie Paul Howarth, Ph.D.
211 Bentwood Avenue
Johnstown, PA 15904-1333

Robert Davis Gleason, Esquire
Maureen McQuillan, Esquire
206 Main Street
Johnstown, PA 15901